

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE**

IN RE:
CECELIA AUGUSTINE LEWIS
269 FERGUS RD
La Vergne, TN 37086
SSN / ITIN: xxx-xx-5259
Debtor.

CASE 15-06973
CHAPTER 13

JUDGE WALKER

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: November 13, 2018
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: November 28, 2018 AT 8:30AM
IN COURTROOM 1, 2ND FLOOR, CUSTOMS HOUSE, 701 BROADWAY, NASHVILLE, TN 37203

NOTICE OF MOTION TO MODIFY PLAN

The Debtor has asked the court for the following relief: Motion to Modify to remove secured debt payment and reduce plan term.

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before **November 13, 2018**, you or your attorney must:

1. File with the court written response or objection explaining your position. **PLEASE NOTE: THE BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESEE REQUIRES ELECTRONIC FILING. ANY RESPONSE OR OBJECTION YOU WISH TO FILE MUST BE SUMITTED ELECTRONICALLY. TO FILE ELECTRONICALLY, YOU OR YOUR ATTORNEY MUST GO TO THE COURT WEBSITE AND FOLLOW THE INSTRUCTIONS AT: <https://ecf.tnmb.uscourts.gov>.** If you need assistance with Electronic Filing you may call the Bankruptcy court at (615)736-5584. You may also visit the Bankruptcy Court in person at: 701 Broadway, 1st Floor, and Nashville, TN (Monday – Friday, 8:00 A.M. – 4:00 P.M.).
2. **Your response must state that the deadline for filing responses is November 13, 2018, the date of the hearing is November 28, 2018 at 8:30 a.m. and the motion to which you are responding is Motion to Modify Plan.** If you want a file stamped copy returned, you must include an extra copy and a self-addressed, stamped envelope.
3. You must also mail a copy of your response to:
Adrienne Trammell-Love, 7009 Lenox Village Dr., Suite 103, Nashville, TN 37211
Chapter 13 Trustee – Chapter 13 Trustee, P.O. Box 340019, Nashville, TN 37203
US Trustee, Beth Derrick, 318 Customs House, 701 Broadway, Nashville, TN 37203

You must serve your response or objection **by electronic service through the Electronic Filing System** described above. You must also mail a copy of your response or objection to:

If a timely response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. ***THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.*** You may check whether a timely response has been filed by calling the Clerk's office at 615-736-5584 or viewing the case on the Court's web site at www.tnmb.uscourts.gov.

Dated: October 23, 2017

Signature: /s/ ADRIENNE TRAMMELL-LOVE

Adrienne Trammell-Love
Attorney for Debtor
7009 Lenox Village Drive, Suite 103
Nashville, TN 37211
(615) 243-7979
Fax: 615-246-4186
e-mail: adrienne@tramlovelaw.com

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE**

IN RE:

CECELIA AUGUSTINE LEWIS

269 FERGUS RD

La Vergne, TN 37086

SSN / ITIN: xxx-xx-5259

Debtor.

CASE 15-06973

CHAPTER 13

JUDGE WALKER

MOTION TO MODIFY CHAPTER 13 PLAN TERMS

COMES NOW, the Debtor(s), by and through counsel, Adrienne Trammell-Love, and moves the Court to enter an Order modifying the Debtor's plan with the following amended terms:

1. The Debtors' case was filed on September 30, 2015.
2. The Meeting of Creditors was held on November 17, 2015.
3. The Order Confirming this case was signed on November 24, 2015.
4. The Debtor's 2016 Kia Optima was totaled in an accident on September 16, 2018.
5. Debtor anticipates insurance proceeds will be sufficient to pay the lienholder's secured claim in full.
6. Counsel has filed a Motion to Utilize Insurance Proceeds.
7. The Debtor has experienced a decrease of income due to unemployment.
8. She now earns approximately \$250 per week caring for infants in her home—This change is reflected on the attached Amended Budget.

WHEREFORE, PREMISES CONSIDERED, the Debtor(s) moves this Honorable Court to enter an order modifying the chapter 13 plan as follows:

1. Debtor moves that disbursements to secured creditor, Insolve Auto Funding, cease.
2. Debtor moves her unsecured dividend is modified to 0%, increased by tax refunds.
3. Debtor moves that her base amount be decreased from \$56,246.49 to \$40,996.00 increased by tax refunds.
4. Debtor moves that her monthly payment is decreased to \$270 per month.
5. Debtor moves that her plan is modified to complete 48 months after confirmation.

Amended Budget Attached.

Respectfully submitted this the 23rd day of October, 2018.

Signature: /s/ ADRIENNE TRAMMELL-LOVE

Adrienne Trammell-Love

Attorney for Debtor

7009 Lenox Village Drive, Suite 103

Nashville, TN 37211

(615) 243-7979

Fax: 615-246-4186

Email: adrienne@tramlovelaw.com

DRAFT ORDER

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE

IN RE:

CECELIA AUGUSTINE LEWIS

269 FERGUS RD

La Vergne, TN 37086

SSN / ITIN: xxx-xx-5259

Debtor.

CASE 15-06973

CHAPTER 13

JUDGE WALKER

ORDER MODIFYING CHAPTER 13 PLAN

On October 23, 2018, the Debtor filed a Motion to Modify her Chapter 13 plan. Notice of the motion was properly served in accordance with Federal Rule of Bankruptcy Procedure 2002 and Local Bankruptcy Rule 9013-1. The 21-day objection period referenced in the notice has expired without any response having been filed. It is therefore, ORDERED as follows:

Disbursements to secured creditor, Insolve Auto Funding, shall cease. It is further;

ORDERED that Debtor's unsecured dividend is modified to 0%, increased by tax refunds. It is further;

ORDERED that Debtor's base amount shall be decreased from \$56,246.49 to \$40,996.00 increased by tax refunds. It is further;

ORDERED that Debtor's monthly Chapter 13 plan payment is decreased to \$270 per month and shall be paid Directly. It is further;

ORDERED, that Debtor moves that her plan is modified to complete 48 months after confirmation. It is further;

ORDERED, that All other terms of the confirmed plan shall remain the same.

**THIS ORDER WAS SIGNED AND ENTERED
ELECTRONICALLY AS INDICATED AT THE TOP OF
THE FIRST PAGE.**

Approved for Entry:

Signature: /s/ ADRIENNE TRAMMELL-LOVE

Adrienne Trammell-Love #024759

Attorney for Debtor

7009 Lenox Village Drive, Suite 103

Nashville, TN 37211

(615) 243-7979

Fax: 615-246-4186

e-mail: adrienne@tramlovelaw.com